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APPLICATION NO. ATTORNEY DOCKET NO. **FILING DATE** CONFIRMATION NO. FIRST NAMED INVENTOR 10/603,234 06/24/2003 Robert E. Krasner **NEV628** 5602 **EXAMINER** 30245 7590 08/13/2004 ANTHONY EDW. J CAMPBELL WATSON, ROBERT C PO BOX 160370 **ART UNIT** PAPER NUMBER AUSTIN, TX 78716 3723

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Application No. Appli				
### Examiner ### Robert C Watson ### 3723 ### Watson ### Special Communication appears on the cover sheat with the correspondence address ### Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. #### Banking DATE OF THIS COMMUNICATION. ####		Application No.	Applicant(s)	9
Robert C Walson 3723	Office Action Summary	10/603,234	KRASNER ET AL.	/
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of term may be available under the provision of 3° CFR 1.13(a). In no event, however, may a reply be timely filled to the provision of 3° CFR 1.13(a). In no event, however, may a reply be timely filled state to the provision of 3° CFR 1.13(a). In no event, however, may a reply be timely filled state to the provision of 3° CFR 1.13(a). In no event, however, may a reply be timely filled state to the provision of 3° CFR 1.13(a). In no event, however, may a reply be timely filled state to the provision of 3° CFR 1.13(a). In no event, however, may a reply be timely filled state of the continuation of the provision of 5° CFR 1.76(b). The provision of the provi		Examiner	Art Unit	
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exemises of time may be available under the provision of 37 CFR 1.73(a). In no event, however, may a reply be timely field by the period for reply specified above is less than thirty (30) days, a reply within the saturatory menimum of birty (30) days will be considered timely. If the period for reply specified above is less than thirty (30) days, a reply within the saturatory menimum of birty (30) days will be considered timely. Followed for reply specified above is less than thirty (30) days, a reply within the mainting date of this commendation. Followed for reply specified above is less than thirty (30) days, a reply within the mainting date of the commendation. Followed for reply specified above is less than thirty (30) days, a reply within the mainting date of the commendation. Followed for reply specified above is less than thirty (30) days will be considered timely. Followed for reply specified above is less than thirty (30) days will be considered timely. This action is specified in its in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above daim(s) is/are withdrawn from consideration. 5) Claim(s) 1-20 is/are allowed. Claim(s) 1-20 is/are rejected. The specification is objected to by the Examiner. Claim(s) 1-20 is/are rejected. The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.12(d). The oath or declaration is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Repla		n appears on the cover sheet w	ith the correspondence addres	ss
1) Responsive to communication(s) filed on	A SHORTENED STATUTORY PERIOD FOR RETHE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 Clafter SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, - If NO period for reply is specified above, the maximum statutory properties to reply within the set or extended period for reply will, by any reply received by the Office later than three months after the	ON. FR 1.136(a). In no event, however, may a ron. a reply within the statutory minimum of thirderiod will apply and will expire SIX (6) MON statute, cause the application to become AE	reply be timely filed by (30) days will be considered timely. ITHS from the mailing date of this commu BANDONED (35 U.S.C. § 133).	unication.
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 Claim(s) 13-20 is/are allowed. 6 Claim(s) 1-10 is/are rejected. 7 Claim(s) 11 and 12 is/are objected to. 8 Claim(s) 11 and 12 is/are objected to. 8 Claim(s) 11 and 12 is/are objected to. 8 Claim(s) 11 and 12 is/are objected to by the Examiner. 10 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheel(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of:	Status			
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Application/Control Number: 10/603,234

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 4-10 are rejected under 35 U.S.C. 102(b) as being ancicipated by Reggitts.

Reggitts shows a plier tool having a first elongated member 1, a second elongated member 2, a piercing pin 15, and a retention hook 10. Statements of intended use have not been accorded any patentable weight. In any case, the Reggitts tool is capable of piercing a cylindrical drip system.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reggitts in view of Spriggs.

Spriggs teaches embossing a gripping surface on the handle members.

To emboss a gripping surface on the handle members of Reggitts would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Spriggs. One of ordinary skill in the art would have been motivated to do this in order to enable the handle members to be more positively gripped by the user and to prevent slippage in the user's hand during use of the tool.

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Claims 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 13-10 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Watson whose telephone number is 703 308-1747. The examiner can normally be reached on Mon. - Thurs., 5:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail III can be reached on 703 308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ROBERT C. WATSON PRIMARY EXAMINER

rcw